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Express Mailing Label No. EV 657808391 US

PATENT APPLICATION  
Docket: 16546.1.2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Brent Vernon, et al.

Serial No. 10/554,046

Filed: October 21, 2005

For: IN SITU GELLING SELF-REACTIVE  
MATERIALS FOR EMBOLIZATION

Customer No.: 022913

00000003 10554046  
01 FC:2631 150.00 00  
02 FC:2641 50.00 00  
03 FC:2615 875.00 00

Refund Section  
Receipts Division, Office of Finance  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Refund Ref: 0030020519  
Credit Card Refund Total: \$1075.00  
Am Exp.: XXXXXXXXXXXX2007

### REQUEST FOR REFUND UNDER 37 CFR 1.28(a)

Dear Sir:

The above-identified patent application was filed on October 21, 2005, with the full government filing fee. Applicants subsequently became aware that the application was entitled to claim small entity status at the time of filing the application. Applicants thus hereby request within the three (3) month deadline, a refund of one-half of the full government filing fee pursuant to 37 CFR 1.28(a).

In order to satisfy the requirements of the request, applicants hereby assert the following:

Adjustment date: 01/21/2006 RWHITE1  
01 FC:1631 10554046  
02 FC:1641 -300.00 00  
-100.00 00  
-1750.00 00

VERNON R. RICE §  
OF COUNSEL

\* Admitted only in California  
§ Admitted only in Virginia

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Customer No.:

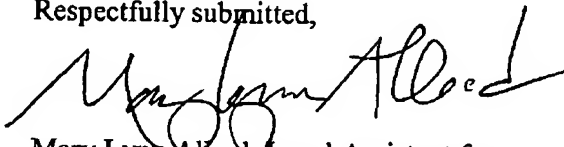
022913

CERTIFICATE OF EXPRESS MAIL

I hereby certify that the following documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Refund Section, Receipt Division, Office of Finance, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the 12 day of December 2005.

- Request for Refund (2 pages)
- Postcard

Respectfully submitted,



Mary Lynn Alfred, Legal Assistant for  
JONATHAN M. BENNS  
Attorney for Applicant  
Registration No. 53,983  
Telephone: (801) 533-9800

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Adjustment date: 01/31/2006 RWHITE1  
10/28/2005 ATRAN1 00000128 10554046  
01 FC:1631 -300.00 02  
02 FC:1641 -100.00 02  
03 FC:1615 -1750.00 02

**I. Establishment of Small Entity Status.**

Applicants hereby assert pursuant to 37 CFR 1.27 that the present application is entitled to claim small entity status as of the filing date of the application.

**II. Refund Request.**

Applicants paid the full government filing fee of \$2,250.00. As such, applicants request a refund in the amount of \$1,125.00 which is one-half of the originally paid filing fee.

**III. Manner of Refund.**

The original government filing fee was paid through submission of a Form PTO-2038 so as to be charged against the following credit card:

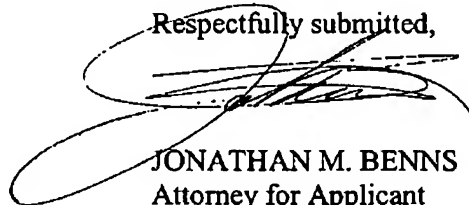
Card:	American Express
Account No.:	3723 208698 42007
Expiration Date:	02/06
Signature:	Jonathan M. Benns

Applicant respectfully requests that the refund of \$1,125.00 be credited to the above credit card. Otherwise, the Patent Office is authorized to credit Deposit Account No. 23-3178.

In the event of any questions, or additional documentation is required in this matter, please contact the attorney below.

Dated this 12 day of December 2005.

Respectfully submitted,



JONATHAN M. BENNS  
Attorney for Applicant  
Registration No. 53,983  
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